

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION

No. 12-md-2323 (AB)

MDL No. 2323

THIS DOCUMENT RELATES TO:

**Plaintiffs' Master Administrative Long-
Form Complaint and (if applicable)
Calvin and Henrietta Sears Woods, as
natural parents and next friend of Aaron
Sears, non compos mentis
v. National Football League [et al.],
No. 12-cv-01024-AB**

SHORT FORM COMPLAINT

**IN RE: NATIONAL FOOTBALL
LEAGUE PLAYERS' CONCUSSION
INJURY LITIGATION**

JURY TRIAL DEMANDED

SHORT FORM COMPLAINT

1. Plaintiff(s), Calvin and Henrietta Sears Woods, as natural parents and next friend of Aaron Sears, a non compos mentis, bring(s) this civil action as a related action in the matter entitled IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION, MDL No. 2323.

2. Plaintiffs are filing this short form complaint as required by this Court's Case Management Order No. 2, filed April 26, 2012.

3. Plaintiffs incorporate by reference the allegations (as designated below) of the Master Administrative Long-Form Complaint, as may be amended, as if fully set forth at length in this Short Form Complaint.

4. Plaintiffs Calvin and Henrietta Sears Woods, as natural parents and next friend of Aaron Sears, a *non compos mentis*, are filing this case in a representative capacity as the natural parents of Aaron Sears, a *non compos mentis*.

5. Plaintiffs, Calvin and Henrietta Sears Woods, as natural parents and next friend of Aaron Sears, a *non compos mentis*, are residents and citizens of Russellville, Alabama and claim damages as set forth below.

6. Aaron Sears is unmarried.

7. On information and belief, Aaron Sears sustained repetitive, traumatic sub-concussive and/or concussive head impacts during NFL games and/or practices. On information and belief, Aaron Sears suffers from symptoms of brain injury caused by the repetitive, traumatic sub-concussive and/or concussive head impacts Aaron Sears sustained during NFL games and/or practices. On information and belief, Aaron Sears's symptoms arise from injuries that are latent and have developed and continue to develop over time.

8. The original complaint by Plaintiffs in this matter was filed in the Circuit Court of the Thirteenth Judicial Circuit In and For Hillsborough County Florida and then removed by the Defendants to the United States District Court for the Middle District of Florida – Tampa Division). If the case is remanded, it should be remanded to the Circuit Court of the Thirteenth Judicial Circuit In and For Hillsborough County Florida or, alternatively, to the United States District Court for the Middle District of Florida – Tampa Division).

9. Plaintiff claims damages as a result of [check all that apply]:

___ Injury to Herself/Himself

X Injury to the Person Represented

 Wrongful Death

 Survivorship Action

 X Economic Loss

 Loss of Services

 Loss of Consortium

DEFENDANTS

10. Plaintiffs bring this case against the following Defendants in this action:

 X National Football League

 X NFL Properties, LLC

 X Riddell, Inc.

 X All American Sports, Inc. (d/b/a Riddell Sports Group, Inc.)

 X Riddell Sports Group, Inc.

 X Easton-Bell Sports, Inc.

 X Easton-Bell Sports, LLC

 X EB Sports Corporation

 X RBG Holdings Corporation

11. As to each of the Riddell Defendants referenced above, the claims asserted are:
 X design defect; X informational defect; X manufacturing defect.
12. X Aaron Sears wore one or more helmets designed and/or manufactured by the Riddell Defendants during one or more years he played in the NFL.
13. Aaron Sears played in X the National Football League (“NFL”) during 2007 - 2010 for the following team: Tampa Bay Buccaneers.

CAUSES OF ACTION

14. Plaintiff herein adopts by reference the following Counts of the Master Administrative Long-Form Complaint, along with the factual allegations incorporated by reference in those Counts:

- X Count I (Action for Declaratory Relief – Liability (Against the NFL))
- X Count II (Medical Monitoring (Against the NFL))
- X Count III (Wrongful Death and Survival Actions (Against the NFL))
- X Count IV (Fraudulent Concealment (Against the NFL))
- X Count V (Fraud (Against the NFL))
- X Count VI (Negligent Misrepresentation (Against the NFL))
- Count VII (Negligence Pre-1968 (Against the NFL))
- X Count VIII (Negligence Post-1968 (Against the NFL))
- Count IX (Negligence 1987-1993 (Against the NFL))

- X Count X (Negligence Post-1994 (Against the NFL))
- Count XI (Loss of Consortium (Against the NFL and Riddell Defendants))
- X Count XII (Negligent Hiring (Against the NFL))
- X Count XIII (Negligent Retention (Against the NFL))
- X Count XIV (Strict Liability for Design Defect (Against the Riddell Defendants))
- X Count XV (Strict Liability for Manufacturing Defect (Against the Riddell Defendants))
- X Count XVI (Failure to Warn (Against the Riddell Defendants))
- X Count XVII (Negligence (Against the Riddell Defendants))
- X Count XVIII (Civil Conspiracy/Fraudulent Concealment (Against All Defendants))

15. Plaintiff asserts the following additional causes of action [write in or attach]:

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. For punitive and exemplary damages as applicable;
- C. For all applicable statutory damages of the state whose laws will govern this action;
- D. For medical monitoring, whether denominated as damages or in the form of equitable relief;
- E. For an award of attorneys' fees and costs;
- F. An award of prejudgment interest and costs of suit; and
- G. An award of such other and further relief as the Court deems just and proper.

JURY DEMANDED

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff(s) hereby demand(s) a trial by jury.

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Respectfully submitted this the 9th day of September, 2013

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